



US Army Corps
of Engineers
Alaska District

Public Notice of Application for Permit

Regulatory Branch (1145b)
Post Office Box 6898
Elmendorf AFB, Alaska 99506-6898

PUBLIC NOTICE DATE: 03 February 2005
EXPIRATION DATE: 07 March 2005
REFERENCE NUMBER: POA-1922-22-33
WATERWAY NUMBER: Tongass Narrows 302

Interested parties are hereby notified that an application has been received for a Department of the Army permit for certain work in waters of the United States as described below and shown on the attached plan.

APPLICANT: City of Ketchikan, 334 Front Street, Ketchikan, Alaska 99901

LOCATION: Section 30, T. 75S. R. 91E, Copper River Meridian, 55° 20' 35" N, 131° 39' 4" W, Ketchikan, Alaska

WORK: Construct approximately 3,700 sq. ft. of new concrete deck and steel pile dock. Remove structurally deficient areas of existing dock and pilings and replace with new concrete decking and steel pilings. Install 30 new 24" diameter steel, vertical pilings and 50 batter pilings. Upgrade pedestrian and vehicle signage, and improve upland amenities including, trash receptacles, covered walkways, miscellaneous furnishings, historic landmarks, etc.

PURPOSE: Provide necessary maintenance to structurally deficient existing facility and add new dock area and amenities to improve safety, access and convenience to resident and tourist users of facility.

ADDITIONAL INFORMATION: Proposal has been modified from an earlier submission which would have included demolition of a portion of the existing facility, construction of new cruise ship docking facilities, access ways, public use facilities and other amenities, along with dredging approximately 15,000 cubic yards of silt, sand and rock from a subsurface knoll that would have represented a navigational hazard to the new docking areas.

Applicant advises that removed pilings would become the property of the contractor and the contractor will sign an affidavit that any re-use or disposal shall be in accordance with local, state and federal regulations.

Previous permit history:

2/28/23, 1-1922-0022, Tongass Narrows 302, (originally 5187.21) issued to Northland Dock Company, maintain an existing wharf at the intersection of Front & Dock Street.

2/28/23, M-1922-0022, Tongass Narrows 302 (originally 5187.18) issued to Ketchikan Cold Storage, maintain an existing wharf at the intersection of Water and Front Street.

3/23/28, N-19220022, Tongass Narrows 302 (originally 5187.42) issued to Ketchikan Cold Storage Company to construct and maintain an extension to an existing wharf.

12/20/28, O-1922-0022, Tongass Narrows 302 (originally 5187.74), issued to The Citizen's Light and Power Company to rebuild an existing wharf and to construct and maintain an extension thereto.

8/9/76, P-1922-0022, Tongass Narrows 302 (originally 76-77), issued to The City of Ketchikan to remove an existing wharf and building to construct a new dock and approach.

6/14/77, Q-1922-0022, Tongass Narrows 302 (originally 2-1977-0003) issued to the City of Ketchikan to retain and preserve an existing dock extension and fill, remove a dock and parking area and construct additional facilities consisting of two dock extensions, a bulkhead and fill.

10/27/86, R-1922-0022, Tongass Narrows 302 (originally N-1977-0003) issued to the City of Ketchikan to: upgrade an existing dock facility, construct a new mooring dolphin, float and two gangways, improve the existing dock with a new corner fender, additional fender piles, new batter pile clusters, and new bent support structures.

05/31/89, 1-1989-0067, Tongass narrows 465, Construction of a pile supported parking deck and street access structure; including drilling sockets for steel piling, setting and driving steel piling, and installing steel and concrete super structures. The irregular shaped concrete deck will be 16" thick, supported by 51 steel piles, and approximately 32,800 square feet in area. The project will provide approximately 110 parking spaces in proximity to the city of Ketchikan Berth 2 parking deck. The project will also provide improvements for pedestrian and vehicle access to the existing berth and a scenic overlook for pedestrians.

4/11/94, S-1922-0022, TN 302, Add a pile-supported mooring dolphin and catwalk to an existing permitted dock.

09/14/94, T-1922-0022, Tongass narrows 302, City of Ketchikan, Add a 115' X 12' float to the end of an existing float.

4/3/2003, U-1922-0022, Tongass Narrows 302, Modify an existing berthing facility to include a 75' X 12' concrete, pile-supported float extension, a 3-pile 12' X 12' dolphin, and a 4-pile fender with a 20' wide X 27' high treated timber face and a stiff leg connection to an existing dolphin.

WATER QUALITY CERTIFICATION: A permit for the described work will not be issued until a certification or waiver of certification as required under Section 401 of the Clean Water Act (Public Law 95-217), has been received from the Alaska Department of Environmental Conservation.

COASTAL ZONE MANAGEMENT ACT CERTIFICATION: Section 307(c)(3) of the Coastal Zone, Management Act of 1972, as amended by 16 U.S.C. 1456(c)(3), requires the applicant to certify that the described activity affecting land or water uses in the Coastal Zone complies with the Alaska Coastal Management Program. A permit will not be issued until the Office of Project Management and Permitting, Department of Natural Resources has concurred with the applicant's certification.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, reasons for holding a public hearing.

The latest published version of the Alaska Heritage Resources Survey (AHRS) has been consulted for the presence or absence of historic properties, including those listed in or eligible for inclusion in the National Register of Historic Places. There are no listed or eligible properties in the vicinity of the worksite. Consultation of the AHRS constitutes the extent of cultural resource investigations by the District Engineer at this time, and he is otherwise unaware of the presence of such resources. This application is being coordinated with the State Historic Preservation Office (SHPO). Any comments SHPO may have concerning presently unknown archeological or historic data that may be lost or destroyed by work under the requested permit will be considered in our final assessment of the described work.

ENDANGERED SPECIES: The project area is within the known or historic range of the stellars sealion and the humpback whale. Preliminarily, the described activity will not affect threatened or endangered species, or their critical habitat designated as endangered or threatened, under the Endangered Species Act of 1973 (87 Stat. 844). This application is being coordinated with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service. Any comments they may have concerning endangered or threatened wildlife or plants or their critical habitat will be considered in our final assessment of the described work.

ESSENTIAL FISH HABITAT: The proposed work is being evaluated for possible effects to Essential Fish Habitat (EFH) pursuant to the Magnuson Stevens Fishery Conservation and Management Act of 1996 (MSFCMA), 16 U.S.C. *et seq* and associated federal regulations found at 50 CFR 600 Subpart K. The Alaska District includes areas of EFH as Fishery Management Plans. We have reviewed the January 20, 1999, North Pacific Fishery Management Council's Environmental Assessment to locate EFH area as identified by the National Marine Fisheries Service (NMFS).

We have determined that the described activity within the proposed area will not adversely affect EFH, including anadromous fish and federally managed fishery resources.

SPECIAL AREA DESIGNATION: None.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the proposed activity and its intended use on the public interest. Evaluation of the probable impacts, which the proposed activity may have on the public interest, requires a careful weighing of all the factors that become relevant in each particular case. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. The decision whether to authorize a proposal, and if so, the conditions under which it will be allowed to occur, are therefore determined by the outcome of the general balancing process. That decision should reflect the national concern for both protection and utilization of important resources. All factors, which may be relevant to the proposal, must be considered including the cumulative effects thereof. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. For activities involving 404 discharges, a permit will be denied if the discharge that would be authorized by such permit would not comply with the Environmental Protection Agency's 404(b)(1) guidelines. Subject to the preceding sentence and any other applicable guidelines or criteria (see Sections 320.2 and 320.3), a permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order

to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Comments on the described work, with the reference number, should reach this office no later than the expiration date of this Public Notice to become part of the record and be considered in the decision. Please contact Mr. Steve Duncan at (907) 753-2720, toll free from within Alaska at (800) 478-2712, or by email at charlie.s.duncan@poa02.usace.army.mil if further information is desired concerning this notice.

AUTHORITY: This permit will be issued or denied under the following authorities:

(X) Perform work in or affecting navigable waters of the United States - Section 10 Rivers and Harbors Act 1899 (33 U.S.C. 403).

A plan, Notice of Application for Certification of Consistency with the Alaska Coastal Management Program, and Notice of Application for State Water Quality Certification are attached to this Public Notice.

District Engineer
U.S. Army, Corps of Engineers

Attachment(s)

STATE OF ALASKA

OFFICE OF THE GOVERNOR

DEPT. OF ENVIRONMENTAL CONSERVATION

DIVISION OF WATER

401 Certification Program

Non-Point Source Water Pollution Control Program

NOTICE OF APPLICATION FOR STATE WATER QUALITY CERTIFICATION

Any applicant for a federal license or permit to conduct an activity that might result in a discharge into navigable waters, in accordance with Section 401 of the Clean Water Act of 1977 (PL95-217), also must apply for and obtain certification from the Alaska Department of Environmental Conservation that the discharge will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. By agreement between the U.S. Army Corps of Engineers and the Department of Environmental Conservation, application for a Department of the Army permit to discharge dredged or fill material into navigable waters under Section 404 of the Clean Water Act also may serve as application for State Water Quality Certification.

Notice is hereby given that the application for a Department of the Army Permit described in the Corps of Engineers' Public Notice No. **POA-1922-22-33, Tongass Narrows 302**, serves as application for State Water Quality Certification from the Department of Environmental Conservation.

After reviewing the application, the Department may certify that there is reasonable assurance that the activity, and any discharge that might result, will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. The Department also may deny or waive certification.

Any person desiring to comment on the project with respect to Water Quality Certification may submit written comments within 30 days of the date of the Corps of Engineer's Public Notice to:

Department of Environmental Conservation
WQM/401 Certification
410 Willoughby Avenue
Juneau, Alaska 99801-1795
Telephone: (907) 465-5321
FAX: (907) 465-5274

STATE OF ALASKA

OFFICE OF THE GOVERNOR

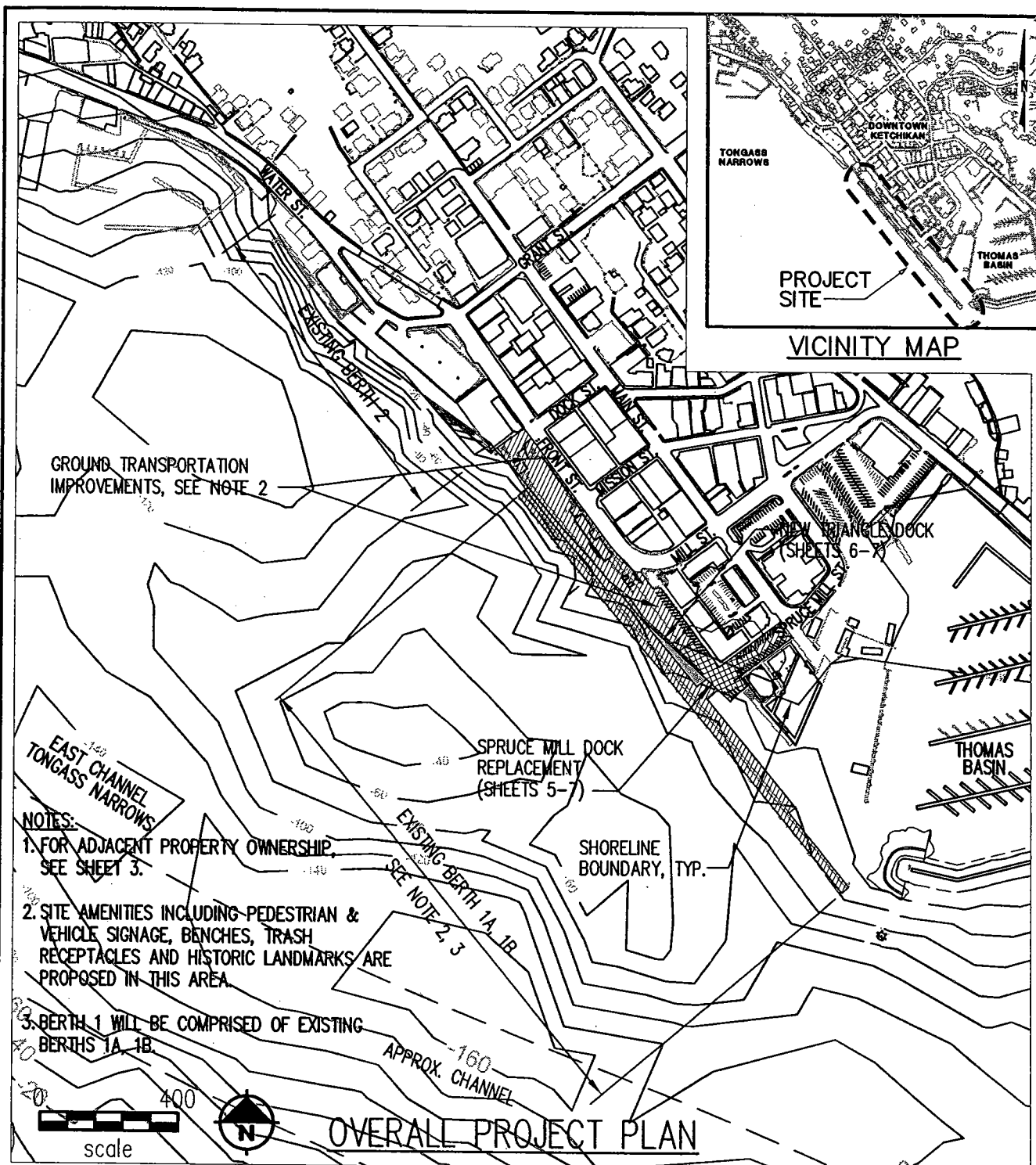
**DEPARTMENT OF NATURAL RESOURCES
OFFICE OF PROJECT MANAGEMENT AND PERMITTING**

OFFICE OF PROJECT MANAGEMENT AND PERMITTING
302 GOLD STREET, SUITE 202
JUNEAU, ALASKA 99801-1127
PHONE: (907) 465-3562/FAX: (907) 465-3075

**NOTICE OF APPLICATION
FOR
CERTIFICATION OF CONSISTENCY WITH THE
ALASKA COASTAL MANAGEMENT PROGRAM**

Notice is hereby given that a request is being filed with the Office of Project Management and Permitting for a consistency determination, as provided in Section 307(c)(3) of the Coastal Zone Management Act of 1972, as amended [16 U.S.C. 1456(c)(3)], that the project described in the Corps of Engineers Public Notice No. **POA-1922-22-33, Tongass Narrows 302**, will comply with the Alaska Coastal Management Program and that the project will be conducted in a manner consistent with that program.

The Office of Project Management and Permitting requests your comments, particularly on the proposed project's consistency with the affected local coastal district management program. For more information on the consistency review contact OPMP at (907) 269-7470 or (907) 465-3562, or visit the ACMP web site at <http://www.gov.state.ak.us/gdc/Projects/projects.html>.



PURPOSE:

MAINTENANCE OF EXISTING BERTH 1 DOCK FACILITY.

DATUM: MLLW = 0.0 FT
MHW = 14.5 FT
HTL = 19.4 FT



APPLICATION BY: CITY OF KETCHIKAN

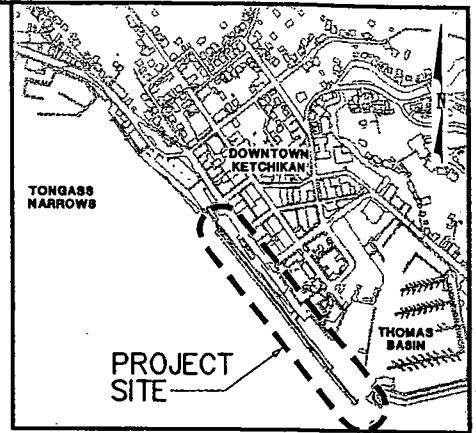
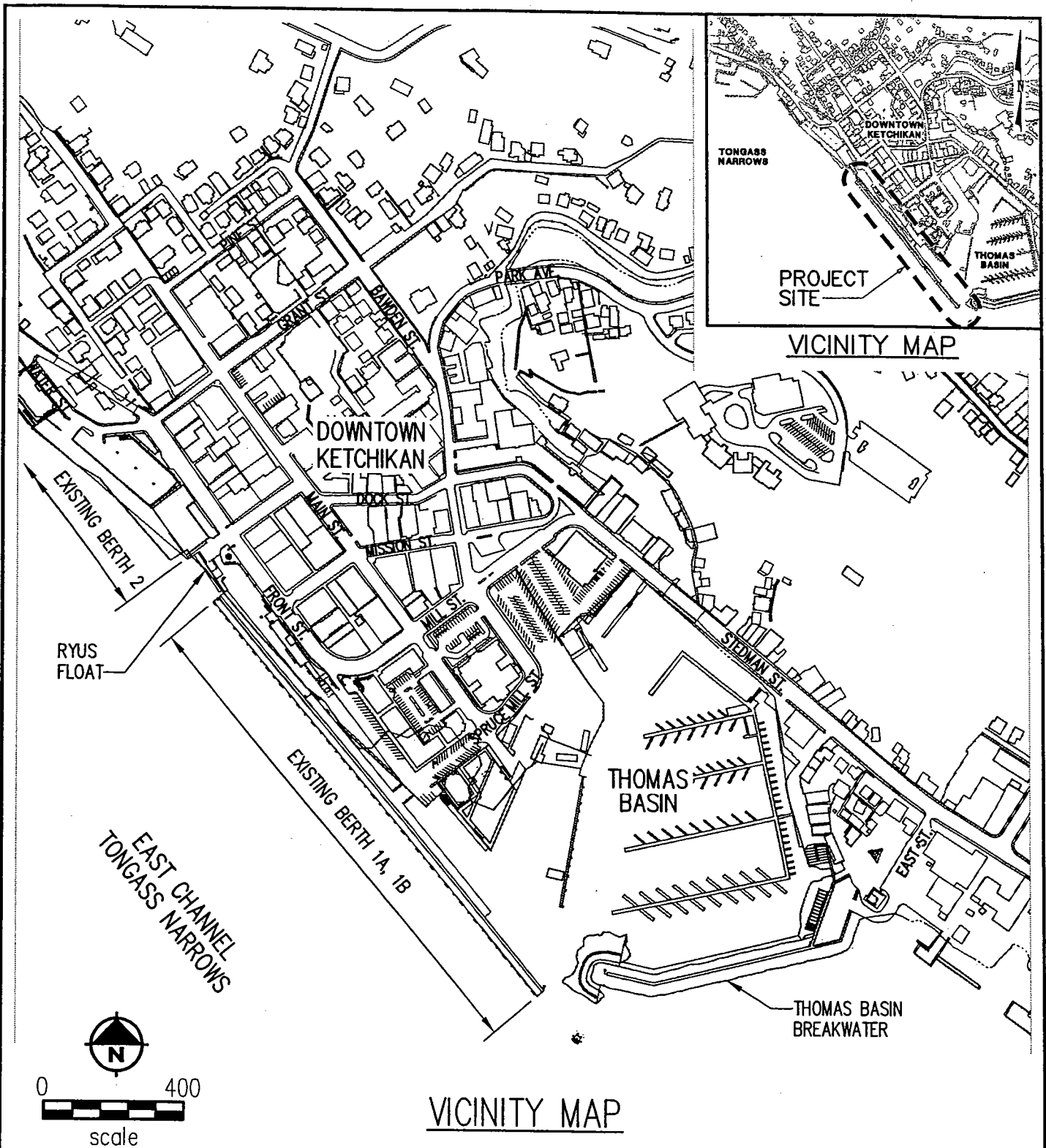
PROJECT: BERTH 1 REHABILITATION & UPGRADE

PROJECT LOCATION: KETCHIKAN, AK

WATER BODY: EAST CHANNEL-TONGASS NARROWS

DATE: JAN. 24, 2005

SHEET: 1 OF 7



PURPOSE:

MAINTENANCE OF EXISTING BERTH 1 DOCK FACILITY.

DATUM: MLLW = 0.0 FT
MHW = 14.5 FT
HTL = 19.4 FT

**City of
Ketchikan**



APPLICATION BY: CITY OF KETCHIKAN

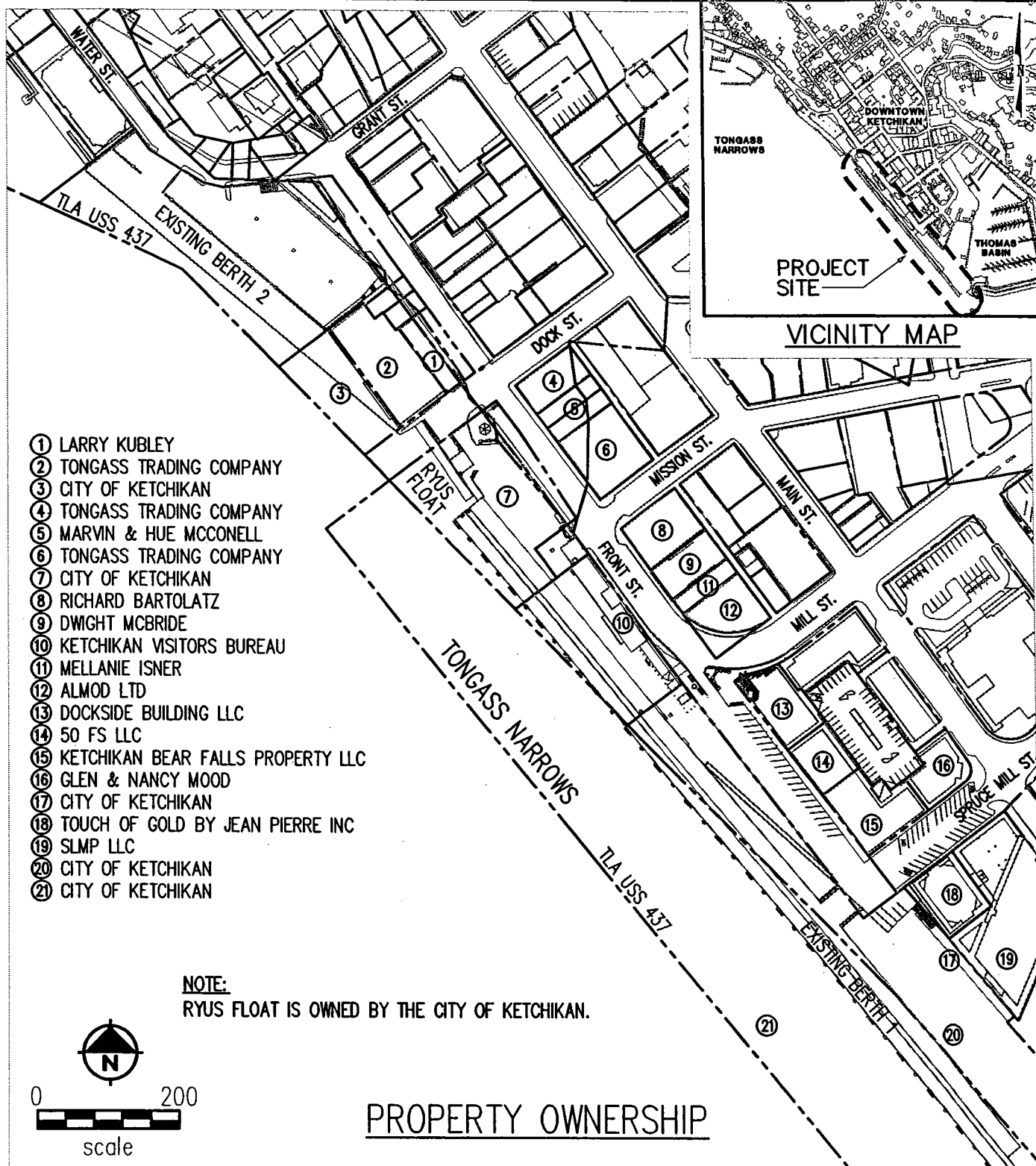
PROJECT: BERTH 1 REHABILITATION & UPGRADE

PROJECT LOCATION: KETCHIKAN, AK

WATER BODY: EAST CHANNEL-TONGASS NARROWS

DATE: DEC. 21, 2004

SHEET: 2 OF 7



PURPOSE:

MAINTENANCE OF EXISTING BERTH I
DOCK FACILITY.

DATUM: MLLW = 0.0 FT
 MHW = 14.5 FT
 HTL = 19.4 FT



APPLICATION BY: CITY OF KETCHIKAN

PROJECT: BERTH I REHABILITATION & UPGRADE

PROJECT LOCATION: KETCHIKAN, AK

WATER BODY: EAST CHANNEL-TONGASS NARROWS

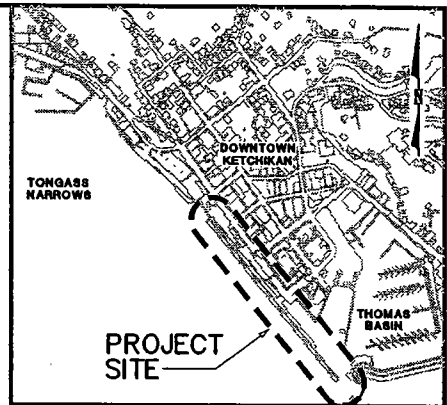
DATE: DEC. 21, 2004

SHEET: 3 OF 7

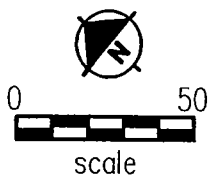
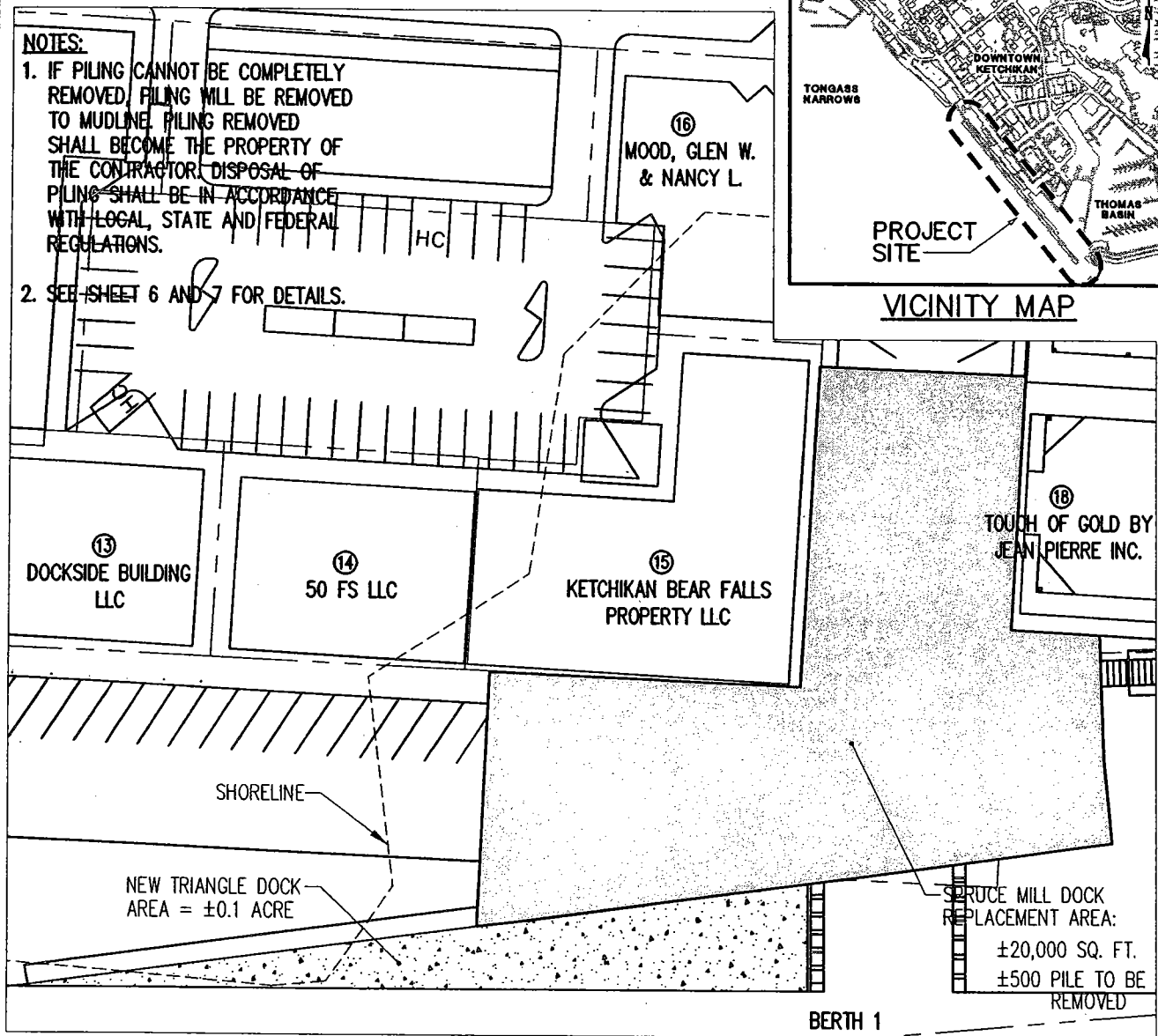
NOTES:

1. IF PILING CANNOT BE COMPLETELY REMOVED, PILING WILL BE REMOVED TO MUDLINE. PILING REMOVED SHALL BECOME THE PROPERTY OF THE CONTRACTOR. DISPOSAL OF PILING SHALL BE IN ACCORDANCE WITH LOCAL, STATE AND FEDERAL REGULATIONS.

2. SEE SHEET 6 AND 7 FOR DETAILS.



VICINITY MAP



**SPRUCE MILL DOCK
REPLACEMENT AND
NEW TRIANGLE DOCK**

PURPOSE:

MAINTENANCE OF EXISTING BERTH 1 DOCK FACILITY.

DATUM: MLLW = 0.0 FT
MHW = 14.5 FT
HTL = 19.4 FT



APPLICATION BY: CITY OF KETCHIKAN

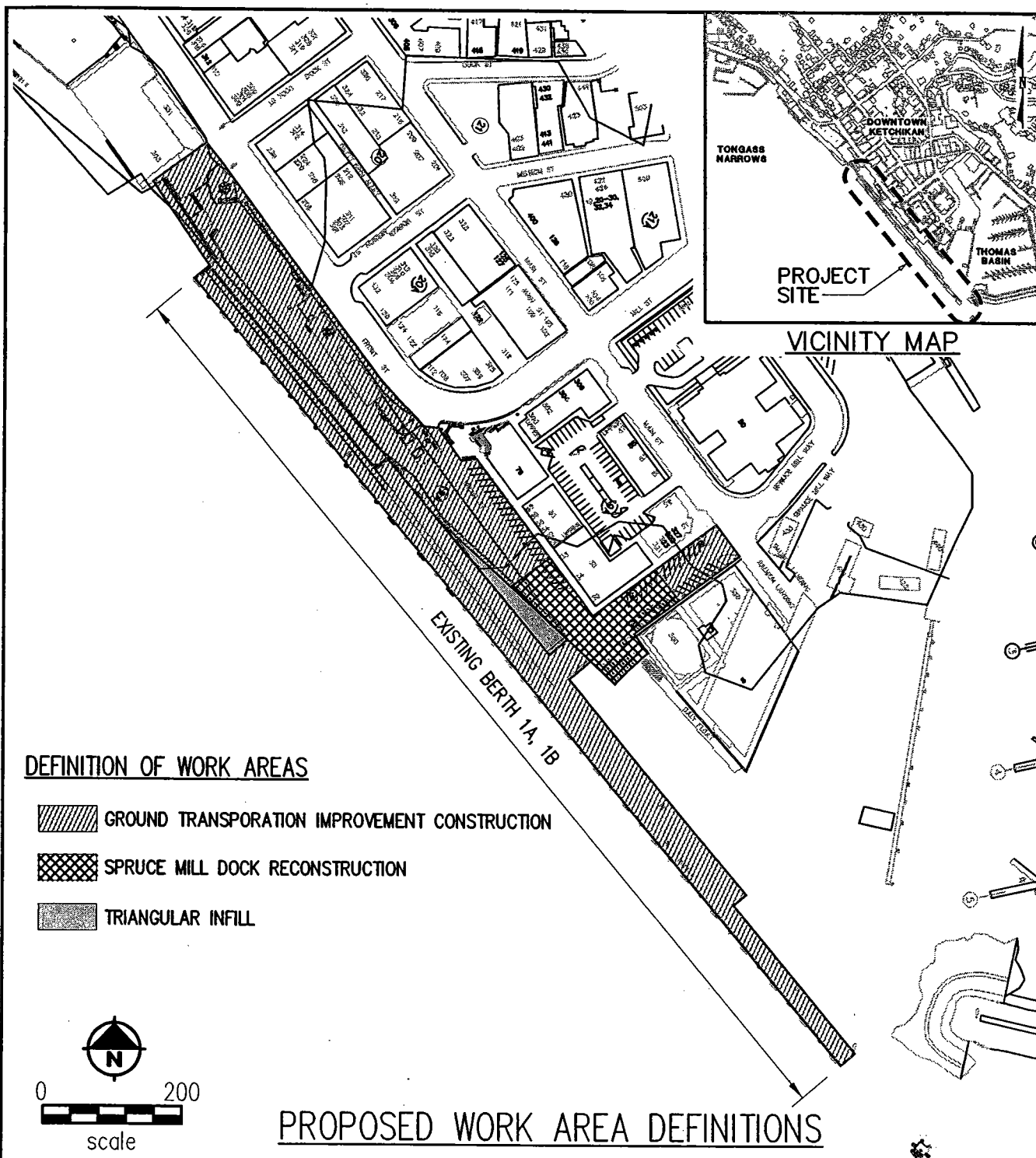
PROJECT: BERTH 1 REHABILITATION & UPGRADE

PROJECT LOCATION: KETCHIKAN, AK

WATER BODY: EAST CHANNEL-TONGASS NARROWS

DATE: DEC. 21, 2004

SHEET: 4 OF 7



PURPOSE:

MAINTENANCE OF EXISTING BERTH 1 DOCK FACILITY.

DATUM: MLLW = 0.0 FT
MHW = 14.5 FT
HTL = 19.4 FT



APPLICATION BY: CITY OF KETCHIKAN

PROJECT: BERTH 1 REHABILITATION & UPGRADE

PROJECT LOCATION: KETCHIKAN, AK

WATER BODY: EAST CHANNEL-TONGASS NARROWS

DATE: JAN. 24, 2005

SHEET: 5 OF 7

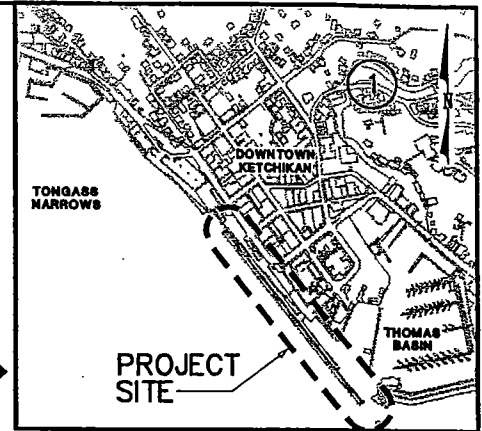
SPRUCE MILL DOCK REPLACEMENT AND NEW TRIANGLE DOCK

LEGEND

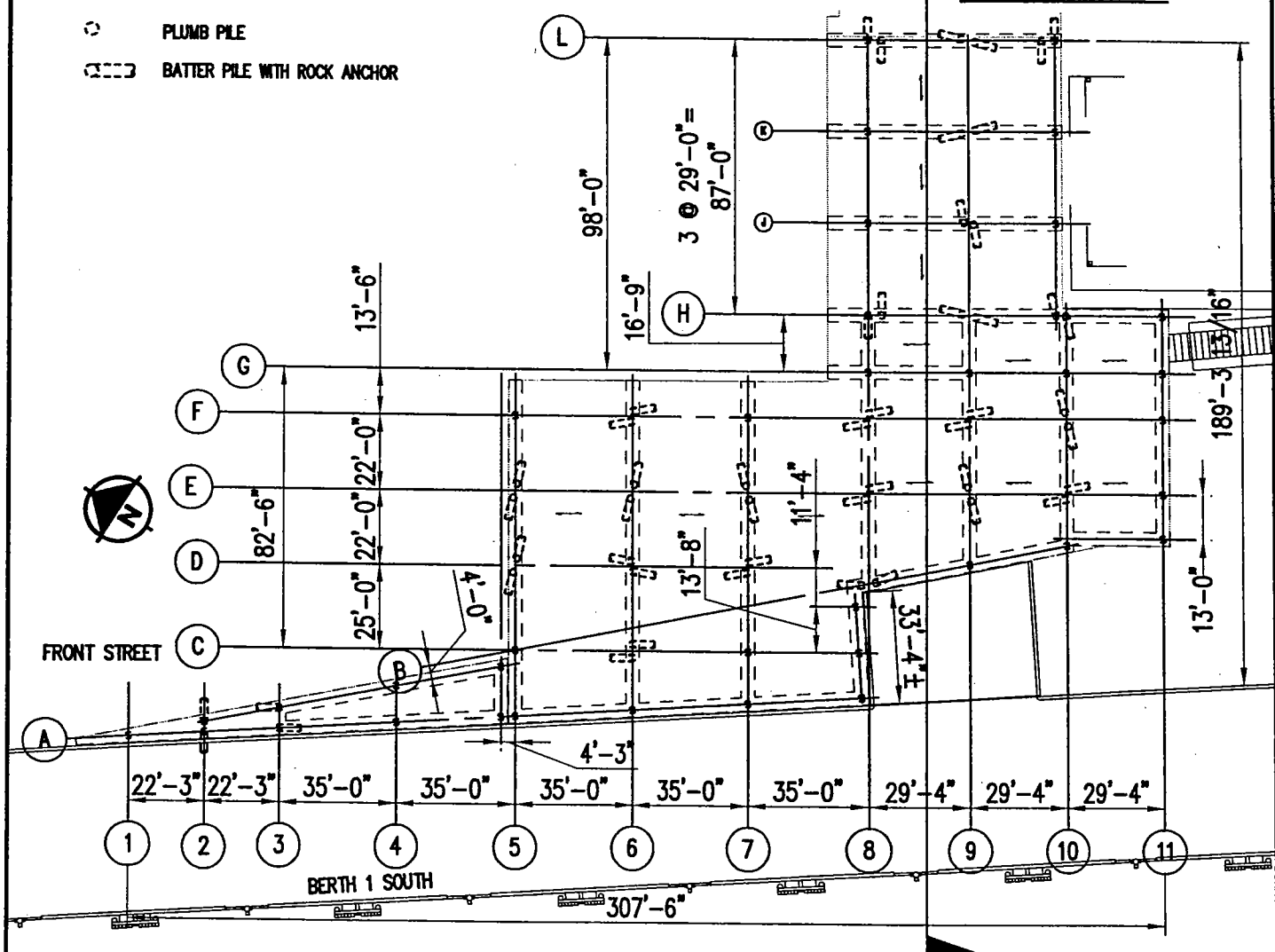
1. STEEL PIPE PILES: 24" x 3/4"
DECKING: 20" DEEP CONCRETE CHANNEL BEAMS

APPROX. VERTICAL 30 PILES AND APPROX. 50 BATTER PILES TO BE INSTALLED.

- PLUMB PILE
▤ BATTER PILE WITH ROCK ANCHOR



VICINITY MAP



PURPOSE:

MAINTENANCE OF EXISTING BERTH 1 DOCK FACILITY.

DATUM: MLLW = 0.0 FT
MHW = 14.5 FT
HTL = 19.4 FT



APPLICATION BY: CITY OF KETCHIKAN

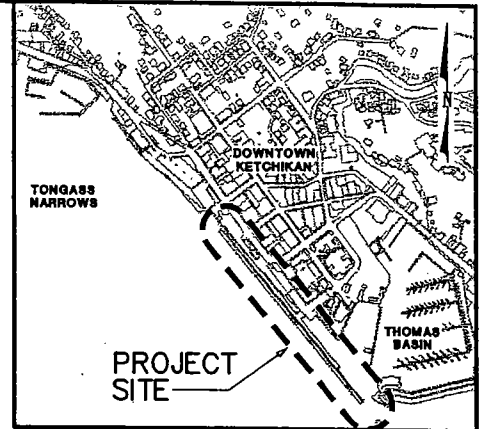
PROJECT: BERTH 1 REHABILITATION & UPGRADE

PROJECT LOCATION: KETCHIKAN, AK

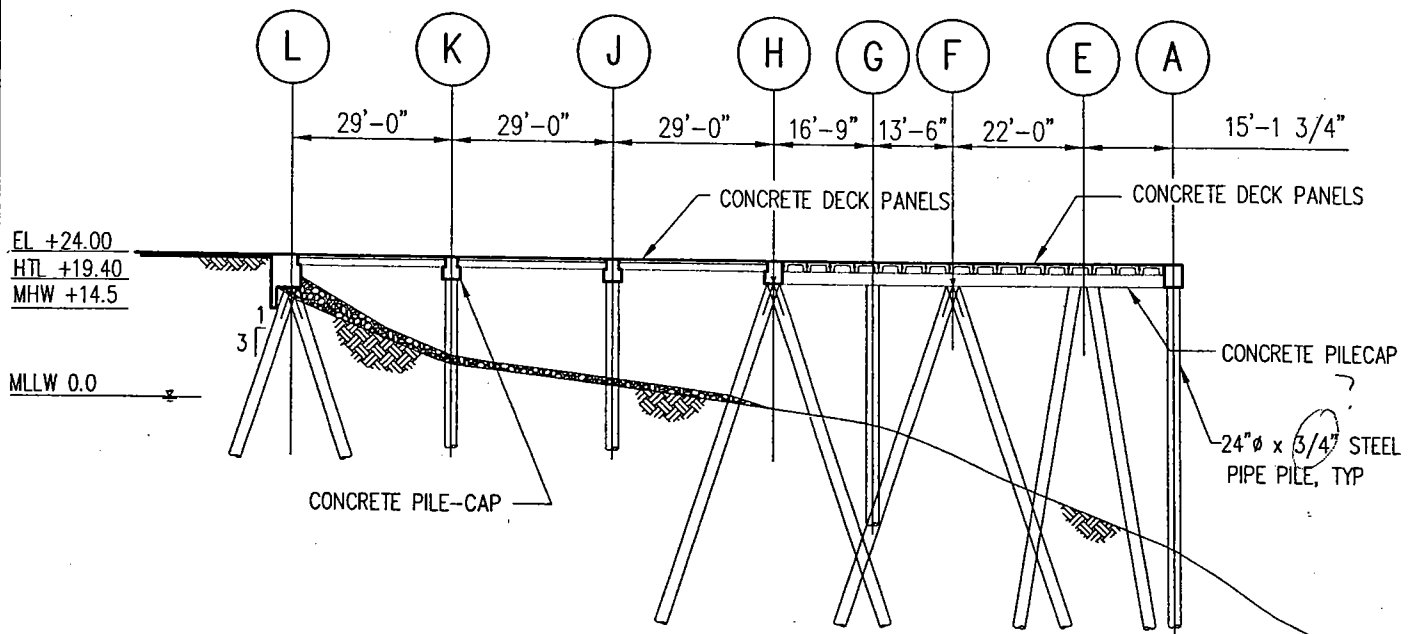
WATER BODY: EAST CHANNEL-TONGASS NARROWS

DATE: DEC. 21, 2004

SHEET: 6 OF 7



VICINITY MAP



SECTION A

SPRUCE MILL DOCK REPLACEMENT

PURPOSE:

MAINTENANCE OF EXISTING BERTH 1 DOCK FACILITY.

DATUM: MLLW = 0.0 FT
MHW = 14.5 FT
HTL = 19.4 FT



APPLICATION BY: CITY OF KETCHIKAN

PROJECT: BERTH 1 REHABILITATION & UPGRADE

PROJECT LOCATION: KETCHIKAN, AK

WATER BODY: EAST CHANNEL-TONGASS NARROWS

DATE: DEC. 21, 2004

SHEET: 7 OF 7